



**CITY OF SUNNYVALE
REPORT
Administrative Hearing**

February 11, 2004

SUBJECT: **2004-0012 - Leticia R. Guiad** [Applicant] **Eddy Shen**
[Owner]: Application on a 16,988 square foot site located at
102 Persian Drive in a C-1/PD (Neighborhood
Business/Planned Development) Zoning District. (APN: 110-
11-066)

Motion Special Development Permit to allow a training school in an
existing office building

REPORT IN BRIEF

Existing Site Office Building
Conditions

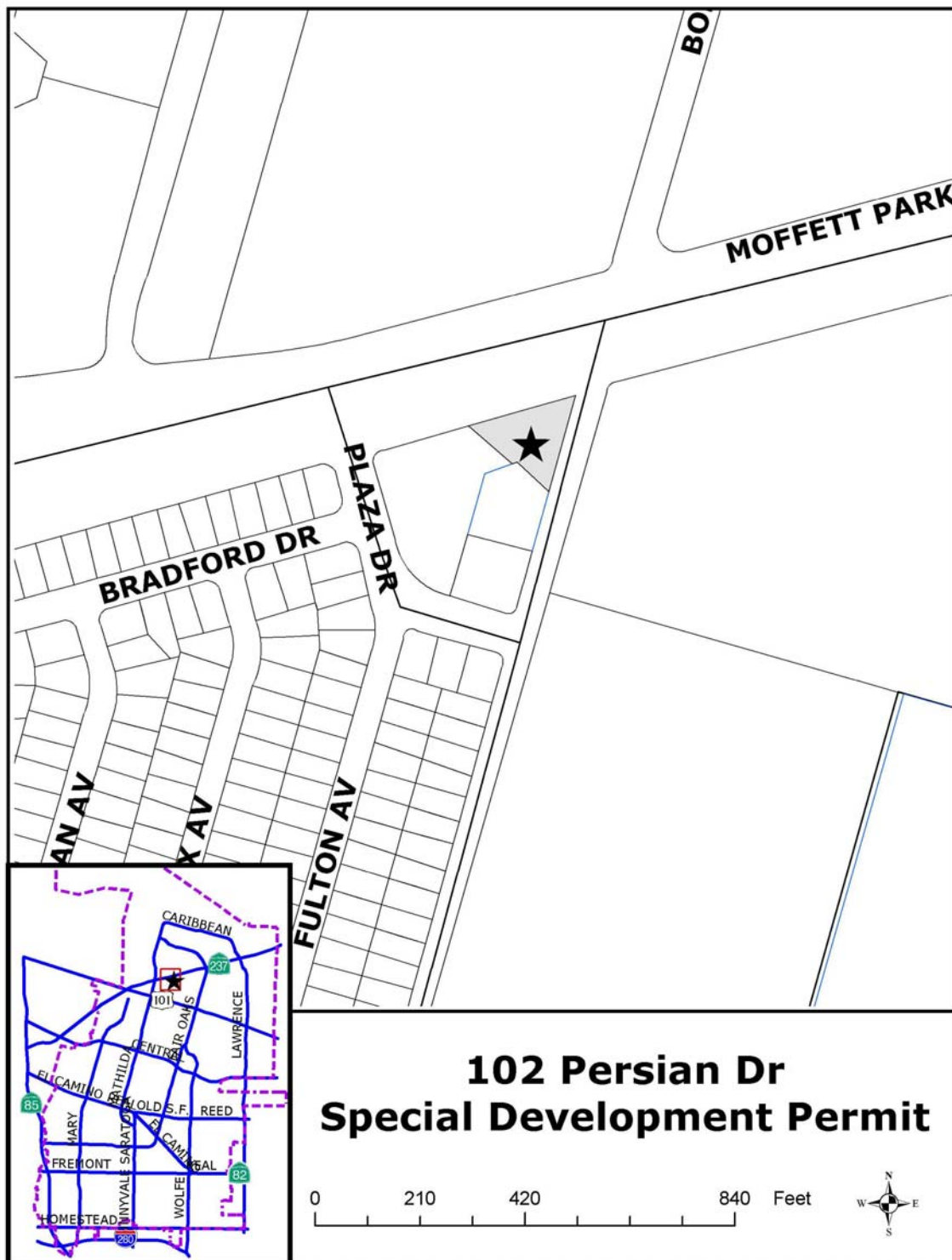
Surrounding Land Uses

North	Industrial across Highway 237
South	Apartments
East	Residential Mobile Home
West	Commercial

Issues Compatibility of use, parking

Environmental A Class 1 Categorical Exemption relieves this project
Status from California Environmental Quality Act provisions
and City Guidelines.

Staff Approve with Conditions
Recommendation



PROJECT DATA TABLE

	<u>EXISTING</u>	<u>PROPOSED</u>	<u>REQUIRED/ PERMITTED</u>
General Plan	Commercial Neighborhood Shopping	Same	---
Zoning District	C1-PD	Same	---
Lot Size (s.f.)	16,988	16,988	None
Gross Floor Area (s.f.)	5,850	5,850	No max.
Tenant Space (s.f.)	2,306	2,306	No max.
Lot Coverage (%)	28%	28%	35% max.
Floor Area Ratio (FAR)	34%	34%	No max.
No. of Buildings On-Site	1	1	---
Building Height (ft.)	26	26	40 max.
No. of Stories	2	2	2 max.
Setbacks (facing prop.)			
• Front (Borregas Ave) -	15'	15'	70 min.
• Reducible Front (Persian Drive) -	15'	15'	15 min.
• Rear	0'	0'	None
Landscaping (sq. ft.)			
• Total Landscaping	6,714	6,714	3,357 min.
• Frontage Width (ft.)	15	15	15 ft. min.
• Buffer (ft.) Adj. Residential	10	10	10 ft. min.
Parking			
• Total No. of Spaces	26	26	26 min.
• No. of Standards	16	16	15 min.
• No. of Compacts / % of total	9	9	11 max.
• No. of Accessible	1	1 (2 required per C.O.A #5)	2 min.

	<u>EXISTING</u>	<u>PROPOSED</u>	<u>REQUIRED/ PERMITTED</u>
• Driveway Aisle Width (ft.)	16'	16'	12 min.

ANALYSIS

Background

Previous Actions on the Site: The following table summarizes previous planning applications related to the subject site.

File Number	Brief Description	Hearing/Decision	Date
1984-0965	Variance to allow reduced setback & additional compact spaces with new office building	Planning Commission/ Approved	10/3/84
1984-0526	Re-Zone & Reclassify site from C-1 to C1/PD (initiated by Planning Commission)	City Council/ Approved	9/4/84

Description of Proposed Project

The proposed project is to allow a training school for nurse's assistants at an existing office building. The school would offer classes at various times on each day of the week. A total of 15 students would be present at the school for any particular time of the day. Reference Attachment #4 for more detail of the proposed school. Although, a maximum of 30 students is mentioned in the applicant's project description (Attachment #4), the classes will be limited to 15 students per Conditions of Approval #7.

Environmental Review

Staff conducted a review of potential environmental impacts for the project and determined that the project is categorically exempt from the California Environmental Quality Act. The application for a Use Permit falls within a Class 1 Categorical Exemption, which includes change of use.

Special Development Permit

Use: The applicant proposes to use a 2,306 square foot portion of the office building as a training school for nurse's assistants. A Special Development

Permit is required for educational uses within the C-1/PD (Neighborhood Business/Planned Development) Zoning District. The building would be utilized as a classroom for 15 students. Classes would be offered each day during various times as outlined in Attachment #4.

Site Layout: The triangular shaped lot is situated at the corner of Persian Drive and Borregas Avenue. Highway 237 is located directly north of Persian Drive. An adult entertainment business is located south and west of the site and two-story apartments are also located directly south of the site. The site was developed with a two-story office building in 1984. The current driveway aisle and parking lot runs through the middle of the site and under the second-story portion of the building. Currently, the subject site serves two businesses. The adjoining tenant space within the building continues to serve as an office use. This unaffected office area comprises 60% of the 5,850 square foot building.

Floor Plan: The business will utilize two stories of the northeast section of the existing building. See Attachment #3 for more detail. A classroom which allows seating for 15 students is located on the first floor. A reception area is located near the entrance. Additionally, an administrative and file room are located on opposite sides of this tenant space. Certain upgrades to the bathroom are required in order to meet accessibility requirements. Prior to approval of building permits, these changes will need to be noted on a revised floor plan.

Architecture: There are no proposed changes to the existing building on the site. The office building was constructed in 1985. Prior to installation of any signs, a Master Sign Program must be reviewed and approved for the site (Condition of Approval #9).

Landscaping: The site meets landscaping requirements with approximately 6,714 square feet. There are no proposed changes to the landscaped area with the project. The site also provides the minimum 10 foot landscaped buffer that is required for non-residential uses that are adjacent to residential uses.

Parking/Circulation: To improve traffic circulation, staff recommends Condition of Approval #6, which states that an "Entrance" sign shall be placed behind the sidewalk on the property near the driveway at the Borregas Avenue. An "Exit, Do Not Enter" sign currently is located near the driveway facing Persian Drive. This sign shall be maintained and not removed. Currently, it is difficult for a driver to determine the correct location to park within the existing site. The parking area shall also be restored and re-striped to reflect the required 26 parking spaces for the site (Condition of Approval #5).

Although there are only approximately three employees working at the adjoining business; and parking demand for the site may be considered low, expansion of future office uses may necessitate the need to utilize more of the existing vacant parking spaces. The office use that shares the building will continue to utilize the ratio of 1 space per 225 square feet that is required by Sunnyvale Municipal Code for office uses. This Special Development Permit is only valid for the subject portion (Suite #101) of the site and may not limit the uses of office uses sharing the site. Sunnyvale Municipal Code 19.46.050 requires the following ratio of parking spaces for the site:

Use	Required Parking	Parking
Proposed Training School (15 fixed seats plus 1,793 s.f.)	<i>1 space per every 3 fixed seats, plus 1 space per 21 square feet of open area useable for seating, plus 1 space per 400 square feet of additional floor area.</i>	10
Office (3,544 s.f.)	<i>1 space per 225 square feet</i>	16
Total		26

The following Guidelines were considered in analysis of the project parking and circulation.

Design Policy or Guideline (Parking/Circulation)	Comments
<i>A5. Appropriately stripe parking stalls to indicate handicapped and compact spaces</i>	Condition of Approval #5 requires the existing lot to be re-striped in order to delineate the required amount of parking. An additional handicap space is also required.

Transportation Impact Fee

The Traffic Division of the Public Works Department has determined the proposed change of use does not warrant the requirement for a traffic impact fee as no new increase in peak hour trips would be generated.

Compliance with Development Standards

The site complies with all standard development requirements for properties located in the C-1 Zoning District with the exception to the required front yard setback of 70 feet. As noted in the "Background" section of the report, a Variance was approved by the Planning Commission in 1984 to allow the current 15 foot setback.

Expected Impact on the Surroundings

The proposed school should not cause a significant impact to the site and surrounding area. The site provides adequate parking for the change of use. As conditioned, the proposed use has a limited ability to expand and create an overflow of parking demand to the site.

Findings, General Plan Goals and Conditions of Approval

Staff was able to make the required Findings based on the justifications for the Special Development Permit.

- Findings and General Plan Goals are located in Attachment 1.
- Conditions of Approval are located in Attachment 2.

Fiscal Impact

No fiscal impacts other than normal fees and taxes are expected.

Public Contact

Notice of Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none">• Published in the <i>Sun</i> newspaper• Posted on the site• Mailed to the adjacent property owners of the project site	<ul style="list-style-type: none">• Posted on the City of Sunnyvale's Website• Provided at the Reference Section of the City of Sunnyvale's Public Library	<ul style="list-style-type: none">• Posted on the City's official notice bulletin board• City of Sunnyvale's Website• Recorded for SunDial

Alternatives

1. Approve the Use Permit with the attached conditions.
2. Approve the Use Permit with modified conditions.
3. Deny the Use Permit.

Recommendation

Alternative 1.

Prepared by:

Ryan M. Kuchenig
Project Planner

Reviewed by:

Diana O'Dell
Senior Planner

Attachments:

1. Findings
2. Conditions of Approval
3. Site and Architectural Plans
4. Letter from the Applicant
5. Site Photos

Recommended Findings - Special Development Permit

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale.

Land Use and Transportation Sub-Element

N1.3. *Support a full spectrum of conveniently located commercial, public, and quasi-public uses that add to the positive image of the City.*

N1.14.3. *Encourage multiple uses of some facilities within the capacity of the land and the roadway system.*

The proposed use provides a valuable educational use within an existing office building. The school would be conveniently located near major transportation arterials of the City. A bus stop located near the subject site provides a beneficial transportation alternative.

2. The proposed use ensures that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair either the orderly development of, or the existing uses being made of, adjacent properties as the existing site provides adequate amenities for the proposed change of use. As conditioned, the proposed use shall not negatively impact or impair the capabilities of neighboring uses.

Recommended Conditions of Approval - Special Development Permit

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions, the Permittee expressly accepts and agrees to comply with the following Conditions of Approval for this Permit.

1. Obtain necessary Building Permits prior to construction.
2. Conditions of Approval shall be reproduced on one page of the plans submitted for a Building Permit for this project.
3. Any major site plan and architectural modifications or changes to the use shall be treated as an amendment of the original approval and shall be subject to approval at a public hearing, except minor changes of the original approved plans may be approved administratively by the Director of Community Development.
4. Obtain a Business License from the Revenue Division prior to commencement of use.
5. Parking lot shall be re-stripped to delineate the required 26 spaces. The site shall provide parking for two handicap spaces.
6. An "Entrance" sign shall be constructed on the property near the Borregas Avenue driveway. An "Exit, Do not Enter" sign shall be maintained near the Persian Drive driveway.
7. The number of students at the facility shall be limited to a maximum of 15 students at any particular time.
8. All exterior trash shall be confined to approved receptacles and enclosures. The existing trash enclosure shall be kept and maintained at all times.
9. Prior to the issuance of an individual sign permit for the site, a Master Sign Program shall be submitted for review and approval by the Planning Division. Upon approval of a Master Sign Program, subsequent sign permits may be submitted for review.